
By: **Delegates Cadden, Amedori, Mandel, and Owings**
Introduced and read first time: January 27, 2003
Assigned to: Economic Matters

Committee Report: Favorable with amendments
House action: Adopted
Read second time: February 19, 2003

CHAPTER _____

1 AN ACT concerning

2 **Licensing - Cosmetology - Examination Requirements**

3 FOR the purpose of requiring an applicant for a cosmetology license to pass an
4 examination consisting of written and practical parts; requiring the State Board
5 of Cosmetologists to offer an examination consisting of written and practical
6 parts; authorizing an applicant to take the written examination after
7 completing a certain minimum number of hours of certain required training;
8 requiring an applicant to pass the written examination before qualifying for the
9 practical examination; providing for a delayed effective date; and generally
10 relating to examination requirements for the licensing of cosmetologists.

11 BY repealing and reenacting, with amendments,
12 Article - Business Occupations and Professions
13 Section 5-304(a) and 5-307
14 Annotated Code of Maryland
15 (2000 Replacement Volume and 2002 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article - Business Occupations and Professions**

19 5-304.

20 (a) (1) To qualify for a license to practice as a cosmetologist, an applicant
21 shall be an individual who meets the requirements of this section.

22 (2) The applicant shall be at least 17 years old.

1 (3) The applicant shall have completed successfully a 9th grade
2 education or the equivalent.

3 (4) (i) Except as otherwise provided in this subsection, an applicant
4 shall have received training by:

5 1. serving as a registered apprentice as provided under §§
6 5-404 and 5-405(d) of this title; or

7 2. successfully completing a required program of at least
8 1,500 hours of training in a cosmetology school that is approved by the State Board of
9 Education or the Maryland Higher Education Commission in consultation with the
10 Board.

11 (ii) If an applicant is a barber or master barber currently licensed
12 in this State, the Board shall:

13 1. credit the applicant with having met one-half of the
14 training requirements of subparagraph (i) of this paragraph; and

15 2. determine the manner in which the credit will be applied.

16 (iii) An applicant meets the requirements of this subsection if:

17 1. the applicant has held a cosmetologist license in another
18 state or foreign country and has actively practiced cosmetology in the other state or
19 foreign country for a period of 6 months; or

20 2. the applicant has been trained in a cosmetology school in
21 another state or foreign country that has standards substantially equivalent to or
22 more stringent than the standards of a school that is approved by the State Board of
23 Education or the Maryland Higher Education Commission in consultation with the
24 Board.

25 (5) Except as otherwise provided in this subtitle, the applicant shall pass
26 [an] A WRITTEN AND PRACTICAL examination given by the Board under this subtitle.
27 5-307.

28 (a) Except as otherwise provided in § 5-307.1 of this subtitle, an applicant is
29 entitled to be examined as provided in this section if the applicant:

30 (1) otherwise qualifies for a license under this title; and

31 (2) pays an examination fee, as established by the Board in accordance
32 with §§ 5-205 and 5-306 of this title, to the Board or the Board's designee.

33 (b) The Board periodically shall give examinations to applicants at the times
34 and places that the Board determines.

1 (c) The Board shall give each qualified applicant notice of the time and place
2 of examination.

3 (d) (1) [The] EXCEPT AS PROVIDED IN SUBSECTION (2) OF THIS SECTION,
4 THE Board shall determine the subjects, scope, and form of and the passing score for
5 examinations given under this subtitle.

6 (2) (I) An examination [may] SHALL consist of written and practical
7 parts.

8 (II) AN APPLICANT MAY TAKE A WRITTEN EXAMINATION WHEN
9 THE APPLICANT HAS COMPLETED AT LEAST 1,380 HOURS OF THE 1,500 HOURS OF
10 TRAINING IN A COSMETOLOGY SCHOOL REQUIRED UNDER § 5-304(A)(4)(2) OF THIS
11 SUBTITLE.

12 (III) AN APPLICANT IS REQUIRED TO PASS THE WRITTEN
13 EXAMINATION BEFORE THE APPLICANT IS QUALIFIED TO TAKE THE PRACTICAL
14 EXAMINATION.

15 (e) The Board or the Board's designee shall mail to each applicant notice of the
16 applicant's examination result.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 ~~October 1, 2003~~ January 1, 2004.